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March 2, 2017

VIA ELECTRONIC FILING

Katherine B. Forrest, Judge
United States District Court
Southern District of New York
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street, Room 1950
New York, NY 10007-1312

Re: Leonard Pelullo v. American International Group., Inc., et al.
USDC SDNY No. 16-CV-5694 (KBF)

Dear Judge Forrest:

I am writing to ask the Court to clarify the Order which Your Honor entered on February 28, 2017.

We originally filed this Complaint in July of 2016. While the matter was under seal, we then filed an amendment to the Complaint on January 17, 2017, in the ordinary course under Rule 15 of the Federal Rules of Civil Procedure.


We then filed a Petition for Leave to File a Second Amended Complaint. The Rule is silent as to whether or not a Petition for Leave is necessary under circumstances where the Complaint has not yet been served.

Does paragraph 2 of the Order mean that we are now permitted to file the Second Amended Complaint on the public docket?


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Thank you for your consideration.

Respectfully yours,



Joseph M. Fioravanti



JMF/lnd